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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/829,152	04/09/2001	Marcus Fest	114231	8253

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EXAMINER

TRAN, QUOC A

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 06/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/829,152

Applicant(s)

FEST, MARCUS

Examiner

Quoc A. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 09/353,100.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This action is responsive to application filed 04/09/2001; acknowledgement is made of CIP Application No. 09/353,100 filed on 07/14/1999.
2. Claims 1-3 are currently pending in this application. Claims 1, 2 and 3 are independent claims.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1-3 are rejected under 35 U.S.C. 102(e) as being unpatentable over Astiz et al. US Patent No. 6,035,330 B1 issued 03/07/2000 filed 03/29/1996 (hereinafter '330).**

**In regard to independent claim 1, “*displaying a first web page by downloading from the Internet data and preexisting html instructions for displaying said data as a first*”**

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*web page*", as taught by '330 at col. 5, lines 1-5 (i.e.... provide a web user with 2-dimensional.... one or more web sites...), " *adding html instructions to said preexisting html instructions for said first web page to cause said display to present a user selectable choice between unmodified hyperlink behavior and modified hyperlink behavior such that, if unmodified hyperlink behavior is selected, the behavior of hyperlinks contained in said first web page is unmodified, and if modified hyperlink behavior is selected, then upon the selection of one or more hyperlinks on said first web page, the uniform resource locator embedded in each of said one or more hyperlinks will be placed within a list of uniform resource locators maintained in said memory such that*", as taught by '330 at col. 11, lines 20-50 (i.e.... When a user requests display of a site map from database 16, an incoming HTML ...is received and recognized by the browser... invokes the map viewer 18 to display the web site map. ... Web site map is retrieved from the local map database... retrieve the selected page, and display it (block 64). A decision is made whether a new web site is being accessed (block 66). If so, control returns to decision block 56 to determine whether this site has already been mapped. Otherwise, control returns to block 62 to detect when a user has selected another entry from the web site map), " *when hyperlink selection is complete, said list of uniform resource locators will be read from said memory and processed to create said second web page in which the content of each web page associated with each said uniform resource locator is included as a panel in said single, continuous, scrollable second web page*", as taught by '330 at col. 12, line 47 through col. 13, line 5 (i.e.... the user can activate the map viewer 18 if it is not running (block 120) and request the map

via the map viewer 18(block 122). If the map is not available locally (block 124), map maker 14 generates the site map (block 126), and the map will be stored locally (block 128) for local retrieval... The user then studies the map and uses it to navigate through the web site... user browses through various HTML pages, the map entry corresponding to the current HTML page being browsed is highlighted in the map so that when the user returns to the map (block 116), the user knows exactly where he is in the web site).

**In regard to independent claim 2**, is directed to a computer program for performing the method of claim 1, in further view of the following, and are similarly rejected along the same rationale;

*"interfacing said first computer program with said second computer program as said first and second computer programs are being executed by said machine, said second computer program causing said machine to display a first web page consisting of data and html instructions downloaded from a server attached to the internet, said first web page including one or more hyperlinks, each of said one or more hyperlink having embedded within it a uniform resource locator linked to a web page"*, as taught by '330 at col. 11, lines 4-11 (i.e.... there are certain functions for which the browser 12 relies on other "helper" software packages to perform commonly referred to as "viewers." Reference is made to FIG. 8, which shows a number of viewers 28 and 30, along with the map viewer 18, connected to the browser 12 via an application programming interface (API) 26. The API 26 permits the browser 12 to communicate with these external software viewers...).

**In regard to independent claim 3**, is directed to a machine readable storage for performing the method of claim 1, and are similarly rejected along the same rationale.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dolan et al        U.S. Patent No. 5,963,208    issued 10/05/1999    filed 07/14/1998

Bukszar et al     U.S. Patent No. 6,133,916    issued 10/17/2000    filed 04/08/1998

Nielsen            U.S. Patent No. 6,199,071 B1 issued 03/06/2001    filed 04/01/1997

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quoc A. Tran whose telephone number is (703) 305-8781. The examiner can normally be reached on Monday through Friday from 8:30AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (703) 305-9792. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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**Quoc A. Tran**

**Patent Examiner**

**Technology Center 2176**

**May 27, 2004**

  
**JOSEPH FEILD**  
**SUPERVISORY PATENT EXAMINER**